

Regular Session, 2009

SENATE BILL NO. 87

BY SENATOR LONG

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BESE. Allows BESE to determine the requirements for experienced teachers' participation in the Teacher Assistance and Assessment Program. (gov sig)

AN ACT

To amend and reenact R.S. 17:3882(6)(a) and 3891(A), relative to the Teacher Assistance and Assessment Program; to provide relative to the definition of "teacher" for program purposes; to provide relative to exemption of teachers with out-of-state experience from program participation; to provide for program rules and regulations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3882(6)(a) and 3891(A) are hereby amended and reenacted to read as follows:

§3882. Definitions

For the purposes of this Part, the following definitions shall apply:

* * *

(6)(a) For the purposes of the Teacher Assistance and Assessment Program, "teacher" means any full-time employee of a local board who is engaged to directly and regularly provide instruction to students in any elementary, secondary, or special education school setting who is not an administrator, who is so employed for the first time in a school in this state ~~after August 1, 1994~~, and who either holds a regular

1 teaching certificate which when issued was valid for three years or who is authorized
2 under law or board regulation to teach temporarily while seeking a regular teaching
3 certificate. For the purposes of the Teacher Assistance and Assessment Program,
4 "teacher" shall not include any experienced teacher ~~moving to Louisiana from~~
5 ~~another state and who provides appropriate evaluation results from his immediate~~
6 ~~previous teaching assignment~~ **as such is defined by the State Board of Elementary**
7 **and Secondary Education pursuant to rules and regulations adopted in**
8 **accordance with the Administrative Procedure Act.**

9 * * *

10 §3891. Applicability

11 A.(1) ~~Beginning August 1, 1994, the Teacher Assessment Program~~ **The**
12 **Teacher Assistance and Assessment Program** is established and successful
13 completion of the program is required for all teachers entering service for the first
14 time in the public schools of this state ~~after August 1, 1994~~, to retain or acquire a
15 regular teaching certificate as provided in ~~R.S. 17:3896~~, as ~~R.S. 17:3896~~ existed prior
16 to August 1, 1998 **R.S. 17:3895**. ~~Beginning August 1, 1998, any A~~ teacher with **out-**
17 **of-state** teaching experience ~~in another state~~ who enters service for the first time in
18 the public schools of this state and provides appropriate evaluation results ~~from such~~
19 ~~teacher's immediate previous teaching assignment~~ shall be exempted from the
20 provisions of this Subpart **as determined by the State Board of Elementary and**
21 **Secondary Education pursuant to rules and regulations adopted in accordance**
22 **with the Administrative Procedure Act.**

23 (2) ~~Beginning August 1, 1998, the Teacher Assessment Program shall be~~
24 ~~known as the Teacher Assistance and Assessment Program.~~

25 * * *

26 Section 2. This Act shall become effective upon signature by the governor or, if not
27 signed by the governor, upon expiration of the time for bills to become law without signature
28 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
29 vetoed by the governor and subsequently approved by the legislature, this Act shall become

1 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

Present law (R.S. 17:3891(A) provides for the Teacher Assistance and Assessment Program and requires all teachers entering service for the first time in the public schools of this state after August 1, 1994, to successfully complete the program to retain or acquire a regular teaching certificate as provided in state law.

Proposed law retains present law but removes references to dates that are no longer relevant to program implementation and corrects an erroneous statutory reference.

Present law also provides that beginning August 1, 1998, any teacher with teaching experience "in another state" who enters service for the first time in the state's public schools who provides appropriate evaluation results from their immediate previous teaching assignment shall be exempt from program participation.

Proposed law instead provides that a teacher with "out-of-state" teaching experience who enters service for the first time in the state's public schools and who provides appropriate evaluation results shall be exempted from program participation as determined by rules and regulations adopted by BESE in accordance with the Administrative Procedure Act.

Present law (R.S. 17:3882(6)(a)) defines "teacher" for purposes of the Teacher Assistance and Assessment Program as any full-time employee of a local board who is engaged to directly and regularly provide instruction to students in any elementary, secondary, or special education school setting who is not an administrator, who is so employed for the first time in a school in this state after August 1, 1994, and who either holds a regular teaching certificate which when issued was valid for three years or who is authorized under law or board regulation to teach temporarily while seeking a regular teaching certificate.

Proposed law retains present law but removes reference to a date no longer relevant to program implementation.

Present law further provides that for program purposes, "teacher" shall not include any experienced teacher moving to Louisiana from another state who provides appropriate evaluation results from his immediate previous teaching assignment.

Proposed law provides instead that for program purposes "teacher" shall not include any experienced teacher as such is defined by BESE pursuant to rules and regulations adopted in accordance with the Administrative Procedure Act.

Effective upon signature of the governor of lapse of time for gubernatorial action.

(Amends R.S. 17:3882(6)(a), 3891(A))